

U.S.S.N. 10/719,644

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REMARKS

The Examiner rejected claims 1-17, 24, 26 and 28 under 35 U.S.C. §103(a) as obvious over Hoult (3,702,702). Additionally, the Examiner rejected claims 1-13, 17-23 and 28 under 35 U.S.C. §103(a) as obvious over Collinson (6,213,901). Further, the Examiner rejected claims 1-28 under 35 U.S.C. §103(a) as obvious over Morrow (6,066,056). Moreover, the Examiner rejected claims 1-13, 18-19 and 28 under 35 U.S.C. §103(a) as obvious over LeMire (20020107094). Finally, the Examiner rejected claims 14-17 and 20-27 under 35 U.S.C. §103(a) as obvious over LeMire as applied to claim 1 above, and further in view of Kohler et al (6,916,259). The Applicants respectfully traverse the Examiner's rejections for reasons provided in their November 2, 2006 and March 22, 2007 Responses and further for reasons specified herein.

In the Advisory Action, mailed April 10, 2007, the Examiner states that the Applicants' March 22, 2007 response was considered but did not place the application in condition for allowance. The Examiner's stated reason was: "The sidewall is intended to reflect the sidewall, throat and transverse wall. These are design choices." The Applicants are unclear what this statement means, specifically what is meant by "intended to reflect" with respect to the structures of the sidewall, throat and transverse wall. A further explanation is respectfully requested. In addition, the Applicants noted in the previous Office Action Response, that the Examiner responded to the Applicants' arguments with regards to the sidewall portions only, and does not choose to address the issue with respect to the throat or transverse wall with projections. This appears to be the case again in the Advisory Action Response, wherein the Examiner states: "the sidewall is intended to ...", and not: "the sidewall, transverse wall, and side surfaces of the throat". As such, the Applicants request that the Examiner provide further explanation as to whether his rejection is limited to the sidewalls or is intended to include all structures claimed on the outer portion of the open frame.

In an attempt to clarify the claimed structure of the present invention, the Applicants have herein amended each of the independent claims, and many of the dependent claims, to hopefully more clearly define the present invention for the Examiner. These Amendments do not change the substance of the claims, but more clearly delineates that the structures that form the novelty of the claims that are located

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along the outer portions of the open frame (i.e. the portion of the open frame that does not typically accept and hold a lacrosse ball during play, otherwise known as the ball receiving area of the open frame that is within the area defined by the throat, the sidewalls and the scoop and includes the netting). Reconsideration of the claims in lieu of these clarifying amendments is respectfully requested.

With the changes, and as the Applicants have consistently maintained throughout the prosecution of this matter, independent claims 1, 18, 24, and 28 each require that the outer side surfaces of the throat or transverse wall with projections (as well as outer surfaces of the sidewalls in certain claims), include an additional structure that is related to a ball or lacrosse ball playability feature. The Applicants maintain that none of the cited references teach or suggest a lacrosse head in which the outer side surface of the throat and respective outer surface of the sidewall (or groove defined by the outer side surface and outer structure of the sidewall) includes such a structure that are sized, shaped, or a positioned for stably rolling a ball (claims 1, 18). Similarly, the Applicants maintain that none of the cited references teach or suggest teach a lacrosse head having a transverse wall and projections for grabbing a lacrosse ball (claim 24), or teach or suggest a lacrosse head wherein the outer surface throat includes a concave depression having a size and shape for supporting a lacrosse ball (claim 28).

In view of the foregoing reasons, it respectfully submitted that all objections and rejections of record have been overcome and that all pending claims, namely claims 1-28, are in condition for allowance. A Notice of Allowance is therefore earnestly solicited.

The Commissioner is hereby authorized to charge any fees associated with this response to Deposit Account No. 50-0476.

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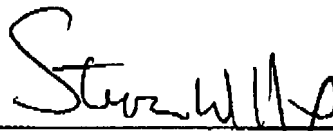
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The Examiner is invited to call the undersigned attorney if he has any questions or comments.

Respectfully submitted,

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